

**MINUTES OF A REGULAR MEETING  
OF THE  
BOARD OF TRUSTEES  
OF THE  
TOWN OF BUENA VISTA, COLORADO  
NOVEMBER 9, 2010**

**WORKSESSION**

A Work Session convened at 6:33 PM on Tuesday, November 9, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado. Present were Mayor Joel Benson, Trustees Keith Baker, Jerry Steinauer, Carrie Carey, Robert Flint, Town Administrator Sue Boyd, Town Attorney Jeff Parker, Town Treasurer Christine DeChristopher and Town Clerk Diane Spomer. Trustees Nyberg and Lacy were absent.

Administrator Boyd led the discussion on Airport Management Options and referenced handouts including the FBO proposal that was reviewed by the Airport Commission; outlined the merits of releasing or not releasing the RFP again and noted key assumptions of the previous RFP. The proposal that was submitted lacked a full business plan to see what was really feasible and we did not receive enough information to do a full analysis. Sue outlined the operating options from the Town's perspective; suggested the focus should be to relative costs to the Town to operate the fuel farm, keep terminal open during business hours and maintain the airfield – how much would it cost the Town to do the work themselves or to have an FBO do the same thing; engaging an FBO would cost \$27,000 more per year than what it is projecting to operate it themselves based on the proposal; staff proposed the idea of releasing another RFP for operation at this point in time is not the most cost effective way to go and have the time to continue operating in the most cost effective way possible; suggested releasing an FBO RFP when economic conditions are more favorable and help develop business for terminal and ground tenants and concentrate on capital development projects that have been discussed in the last few months.

Christine DeChristopher noted the FBO can do snowplowing and mowing but not provide the equipment; assumptions on the costs were based on information that was available at the time; there are a lot of maintenance, utility and insurance costs that were put into the 2011 budget figures presented.

Discussion included the following input: not running on assumptions; the FBO is the way to go and the Town cannot run an airport; the FBO has many advantages; give the private sector the chance to run the airport; there is a \$20,000 difference in what the one proposal submitted; it will cost the Town money to run the airport; if we don't want to run it we need to close it; we could work with a smaller hangar for a lot less money; the Town can run as efficiently as an FBO and save \$20,000; what will it cost to release another RFP (staff time is involved with another RFP); the airport is a significant amount of time for staff and we could hire an Airport Manager to do just the airport; we have a lot of time invested in the airport and don't want to see the responsibility go away. Trustee Nyberg joined the work session at 6:56 PM.

The Work Session concluded at 7:04 PM.

**CALL TO ORDER**

A Regular meeting of the Board of Trustees was called to order at 7:08 PM on Tuesday, November 9, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Joel Benson. Present were Trustees Norm Nyberg, Keith Baker, Jerry Steinauer, Carrie Carey, Robert Flint, Town Administrator Sue Boyd, Town Attorney Jeff Parker, Town Planner Shannon Haydin, Town Engineer Rachel Friedman, Public Works Director Roy Gertson, Police Chief Jimmy Tidwell, Town Treasurer Christine DeChristopher and Town Clerk Diane Spomer. Trustee Lacy was absent.

**ROLL CALL**

Town Clerk Diane Spomer proceeded with the roll call and declared a quorum.

## PLEDGE OF ALLEGIANCE

Mayor Benson led in the Pledge of Allegiance.

## AGENDA ADOPTION

Trustee Steinauer expressed that Item C deserved more attention than the Board can give tonight and wanted a joint meeting with P&Z or just a meeting with the Trustees to discuss more in-depth and felt the individuals who will be affected should be contacted. Discussion held on opening the Public Hearing and then continuing the Hearing.

**Motion #1** by Trustee Flint, seconded by Trustee Baker, to adopt the agenda as presented. Motion carried.

## CONSENT AGENDA

- A. **Minutes**
  - 1. Regular Meeting – October 26, 2010
- B. **Advisory Boards**
  - 1. Planning & Zoning Commission
  - 2. Trails Advisory Board
  - 3. Beautification Advisory Board
- C. Should the Board approve adoption of Resolution #110, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CHRISTINA BRANDENBURG FOR A MUNICIPAL BUILDING NEEDS ASSESSMENT**"?
- D. **POLICE DEPARTMENT/CALL REPORT/MUNICIPAL COURT**

Trustee Baker thanked the voters for supporting the defeat of 60, 61 and 101, stated it will make our job a lot easier and making services better for the community; Thursday is Veteran's Day; in the Police Chief's report there was a K9 drug inspection at the school and they found nothing and noted that was "great".

**Motion #2** by Trustee Flint, seconded by Trustee Baker, to approve the Consent Agenda as presented. Motion carried.

## PUBLIC COMMENT

Gordon Lacy, 100 River Run Drive, stated Weld County has operated with a 5% "no growth factor" with a new jail and noted there are ways to do things without spending money; read a letter into the record regarding the new position approved by the Town and handed the letter to the Town Clerk.

## RESPONSE TO PUBLIC COMMENT

Mayor Benson thanked Mr. Lacy for his comments.

## BUSINESS ITEMS

### **PRESENTATION REGARDING ECONOMIC DEVELOPMENT ASSESSMENT BY WENDELL PRYOR OF THE ECONOMIC DEVELOPMENT CORPORATION**

Wendell Pryor, Director of Chaffee County Economic Development Corporation, noted the formation of the corporation and their mission; stated their goal is to increase jobs and add to the wage base in Chaffee County; provided information on a community meeting scheduled for Monday, Nov. 15 at 5:30 PM; the Dept. of Commerce requires an assessment/survey of communities so they identify their priorities and projects for possible Federal funding; a Comp. strategy will be done after that and encouraged the Board members to attend.

Discussion held on projects that have been done since Wendell was hired (supporting the airport and paving Gregg Drive; to grow existing businesses one job at a time, met with entrepreneurs, advocate for more jobs in the community); Wendell contact information was provided: (719) 239-2018 or (719) 207-0801, [info@chaffee-county-edc.com](mailto:info@chaffee-county-edc.com).

### **CONTINUATION OF PUBLIC HEARING – THE TOWN OF BUENA VISTA 2011 BUDGET**

Sue Boyd referred to a memo proposing possible budget cuts and also some new requests that were presented for the 2011 budget.

Mayor Benson opened the public comment portion of the hearing at 7:30 PM.

Dennis Hutton, President of Tree Board, noted the Adopt A Tree Program has been on-going for over 20 years and the Town has had Tree City USA status for 21 years; felt it was an important program for the Town and asked the Board to keep it going.

With no other comments received Mayor Benson closed the public comment portion of the hearing at 7:35 PM.

Discussion held on not cutting employee salaries by 1% (Town has had a COLA raise in the past but no merit pay plan, original budget reflected a 3% increase-reduced to 2% to reduce costs); reducing operating base or delaying projects; budget requests that have not been incorporated into the 2011 budget; \$18,000 match funds for a \$444,000 project at the airport; keep the merit pay at 3% and keep the adopt A Tree Program; unemployment rate for insurance went up for the first time in 8 years; an update on what the budget looks like will be presented at the Nov. 23 meeting.

**Motion #3** by Trustee Nyberg, seconded by Trustee Baker, to continue the Public Hearing to November 23, 2010. Motion carried.

### **PUBLIC HEARING – Should the Board approve adoption of Ordinance #31, Series 2010, entitled "AN ORDINANCE OF THE TOWN OF BUENA VISTA AMENDING SECTIONS 16-4 AND 16-245 OF THE BUENA VISTA MUNICIPAL CODE AND ADDING A NEW SECTION 16-172 CONCERNING DIMENSIONAL STANDARDS FOR THE OLD TOWN OVERLAY DISTRICT"?**

Town Planner Haydin noted the intent of the ordinance was to protect the character of the Old Town District; the overlay district exists already; the new chart replaces the existing table to make it simpler; the intent is to align new dimensional standards with what is constructed now; this gives a little more flexibility on what individuals want to build and has a "build to line" on Main Street; this code preserves the building line on Main Street but nothing prohibits someone dozing downtown and they would have the ability to build to the street front and it promotes mixed use.

Mayor Benson opened the public comment portion of the hearing at 8:10 PM.

Jed Selby, 911 S Main Street; a form based code is known and published widely that is "a good idea to do in a historic district"; it has been in the Comp Plan to get one and this is a simplified version of one; this ordinance aligns dimensional standards with historic lines.

With no other comments received, Mayor Benson closed the public comment portion of the hearing at 8:12 PM.

Discussion followed on ADUs are still a Special Use; sheds are still allowed; increases the amount of building on a property; the historic plat from railroad days applies to the OT lots; OT overlay applies to Crossman Addition; minimum frontage build-out; schedule a work session with some examples brought forward and notify property owners of the pending change in the Code.

**Motion #4** by Trustee Flint, seconded by Trustee Nyberg, to continue this item to a work session with P&Z in the near future and to notify the property owners. Discussion held on re-noticing the hearing since there is no date certain; preserve the nature of downtown; R1 lots will remain R1; notices will be sent to property owners. Motion carried.

#### **DISCUSSION REGARDING PROPOSAL TO IMPLEMENT A PROFESSIONAL HARVEST OF DEER IN TOWN LIMITS**

Administrator Boyd noted the Board asked staff to look into doing a professional harvest; she and Chief Tidwell met with Randy Hancock to discuss some of Randy's suggestions.

Randy Hancock advised the Board that the Town will end up with a healthier herd and a managed population; whatever the Town proposes would have to be approved by DOW; the process would take about a year; suggested professional shooters and felt the local Police Department would do an adequate job; suggested the Town set up a system to get a list of needy individuals who would get the meat and find an individual to process the meat; suggested removing 30% of the deer population, preferably female.

Discussion followed on a bow is not as accurate as a .22 rifle; if the Board approves this proposal, the details would be flushed out before a written proposal is submitted to DOW; September-October is the best time of the year; the proposal to DOW should be for an annual event; property owners can request the deer being harvested off their property; the \$6100 was calculated using two police officers for two evenings, \$145 per deer @ 20% (40 deer), some ammunition and processing of the meat. Staff was directed to put together a proposal to be brought back to the Board.

Trustee Baker left the meeting at 8:52 PM.

#### **UPDATE REGARDING CONSTRUCTION OF THE JAY JONES HANGER AT THE AIRPORT**

Administrator Boyd gave a brief background on the amendment that was made to the Jay Jones' lease to extend construction to October 31 and a lot of progress has occurred since then.

Jay Jones, 27400 CR 319, advised the Board that the hangar is complete; he's trying to get skylights up but with winds it cannot be done yet; some trim is remaining; the doors just need to be bolted and put in their tracks; the driveway and apron need to be poured with clean up and landscaping; the building is for housing his airplane and for maintenance; the Fire Inspector today was pleased with his plans and feels he will be done by the end of the year.

Sue Boyd added that Jay does not have a C.O. yet and Jay will need to finish up with the Building Dept. for his C.O.; if we amend the lease, language needs to be there for S2 occupancy. Updates will be given to Sue and then to the Board.

#### **DISCUSSION OF OPTIONS FOR EXTENDING THE TAXIWAY AT THE CENTRAL COLORADO REGIONAL AIRPORT**

Sue Boyd stated a taxiway to support new hangar development is one of the largest barriers for new development; an estimated cost is \$250,000 at the south end of the two row hangars to extend asphalt for development of 4-5 hangars; as the airport grows the same potential will occur over and over; the Airport Commission discussed allowing hangars to be built on dirt but Aviation does not recommend pursuing

this; staff has been working on options and discussed allocating the cost of construction in a cash in lieu fee to those who were developing hangars; CDOT is increasing the amount of grant funds to individual airports to \$400,000; staff proposes a CDOT Aeronautics Grant for \$320,000 with a \$32,000 match for the terminal roof, storage unit acquisition, security cameras and land acquisition from Richard Grindle.

Discussion followed on cash-in-lieu fee to finance construction of pavement when someone applies to develop a hangar similar to a SIDF and then the Town would pay for construction of asphalt and recoup some of the cost, but if the grant is pursued the cash-in-lieu fee can be reduced; the grant needs to be submitted this week; the 10% the Town matches can be recouped. The Board concurred with submitting the grant application.

#### **DISCUSSION OF A PROPOSAL TO IMPLEMENT A SPECIAL MERIT BONUS PLAN FOR EMPLOYEES IN 2010**

Administrator Boyd outlined the proposal for a bonus pay in December, 2010, for all employees on payroll as of Nov. 30 equal to 2% of their current base pay up to a maximum of \$1000; this does not exceed budgeted funds but recognizes contributions of employees who have not received anything since 2009; a proposal will be at the next meeting for a Merit Base Pay in 2011; the original budget reflected a 3% Merit Pay.

Discussion followed on CIP was 1.8%; the perception of some employees is that they would get a 3% amount; separate checks will be written for the bonus pay; at 3% it is still below what was budgeted.

**Motion #5** by Trustee Steinauer, seconded by Trustee Flint, to approve as presented. Roll call vote: Carey-aye, Steinauer-aye, Flint-aye. Trustee Nyberg abstained from the vote. Motion carried.

#### **DISCUSSION REGARDING RECONSTITUTION OF THE AIRPORT BOARD**

Administrator Boyd gave some background on the resignations of the Airport Board members; there is currently no Advisory Board in place and asked if the Code reads as the Board wants it to and suggested recruiting and appointing members to that Board; some Airport Commission members are interested in serving; felt a need to clarify the role of the Airport Board to work closely with staff to direct policy and strategic matters rather than day-to-day operations of the Airport and serve in advocacy and the Administrator and/or her designee should be the primary staff contact for that Board.

Discussion followed on changes to the Code: two Trustees serving as liaisons; limit Board members to five with two alternates who serve as a liaison between the Town and the FAA.

#### **DISCUSSION REGARDING A PROPOSAL TO PURCHASE OR LEASE A FUEL TRUCK FOR THE AIRPORT**

Christine noted Hiller proposed a 1999 3000 gallon re-fueler truck the Town can purchase at \$59,850 or lease 60 months for \$1360/month at 11 ½%; Trustee Lacy has reviewed the history and felt it was in good condition and maintained and felt it would be a good truck for the Town to use; it would replace a 1984 truck with poor performance; a lease purchase ties the Town to the fuel supplier making it difficult to switch fuel providers; this purchase would be a budget amendment but reduces future budgets.

Discussion followed on the old truck goes back to the fuel supplier and we have to pay to ship it back.

**Motion #6** by Trustee Flint, seconded by Trustee Carey, to pursue the purchase of the fuel truck. Trustees Steinauer and Nyberg voted against. Mayor Benson voted against. Motion failed. Discussion followed on a lease/purchase.

**Motion #7** by Trustee Flint, seconded by Trustee Nyberg to pursue a lease/purchase. Roll call vote: Nyberg-aye, Steinauer-nay; Carey-nay, Flint-aye, Benson-aye. Motion carried. An agreement will be brought back before the Board. Discussion held on paying off the balance in the near future.

## **STAFF REPORTS**

### **TOWN ADMINISTRATOR**

Administrator Boyd had the following items to cover:

- Sue, Rachel, Roy and Trustee Steinauer met with Dave Kelly about his ideas for what is feasible for providing irrigation water on the Meadow for the Farm.
- The window replacement at Town Hall continues; one broke yesterday; four new windows are upstairs now.
- There was a lock down at the High School and DPCA for an emergency exercise that went well.
- Dale Enck contacted us regarding the De-annexation for Chuck Quenon from the Chaffee Fire District; Darrell Pratt and I will meet to develop the "case".
- Three designs were placed in the back of the packet for the street furniture.
- P&Z had a work session to look at the municipal planning map for County zoning and on 11/3 reviewed the proposal along with a map of the Town's service area for water distribution; to get to an IGA with the County for a 3 mile planning area there is a proposal for a work session prior to the next meeting.
- Roy, Rachel and Sue met with Ivy League to discuss a leak detection project and installing a line to Town standards; this could happen in the next two years; the premium charged to Ivy League could be reinvested to keep the project moving along.
- Tim Jaster and I are working on moving BVTV programming forward so it can be broadcast better; we will also meet with the school personnel regarding opportunities.
- We did not get the Tiger II Grant for Gregg Drive, but we have design work that was done so the next time we pursue funding it will be ready. Rachel will try to find out why we were denied the grant-it appears the money went to larger projects.
- Trustee Carey asked for copies of the letters that were sent to owners of the vacant buildings. Sue stated they are being drafted but not sent out yet; a different letter will be sent to the Texaco.
- Trustee Steinauer asked to see all the attorney fees, special fees from other professionals and staff time concerning the Meadows project and the bankruptcy added to the Administrator's report to see how much it may cost in the future. Christine will put the numbers together in the Treasurer's report.
- We have a meeting on December 14 for budget adoption; the second meeting on Dec. 28 in the past has been cancelled and asked for Board input. The Dec. 28 meeting will be cancelled.

### **TOWN TREASURER**

- This Friday is the Webinar and Open House for Theresa and asked the Board to stop by and thank her for 30 years of service to the Town.
- Christine noted the expenditures cover a month of time; the Sales Tax report will be put together and put in the Trustee's boxes; the street tax is on a separate page to show what is in the account and available to carry over.
- Trustee Nyberg asked about purchasing a love seat. Christine noted it was for the airport; some chairs, a love seat and chair in the lobby were bought for a reception area and staff waited until construction was complete.
- Mayor Benson asked about the check for McMahon and Associates. Christine stated it was for the audit.
- Mayor Benson asked about Chaffee County Waste and if they had been contacted. Christine received their flier and will contact them.
- Christine noted the open issue of the auditors and getting a committee together and will have a recommendation at the 11/23 meeting.

### **PUBLIC WORKS/WATER STATUS REPORT**

- Roy Gertson noted leaves in the gutters around Town; had a major break down in the street sweeper and Jay is rebuilding it and is almost done and will have the leaves picked up soon.
- We are closing out the GOCO grant soon and are putting up Kiosks this week.
- Trustee Nyberg thanked Roy's staff for taking care of issues at the Police Department.

- Trustee Carey asked about notices on the trash cans.
- Roy noted the contract with Mill Works was for three themes for the iron work, stainless steel cut outs for the trash receptacles; we have a limited budget and can order 10 panels for \$2300 that is left in the budget and asked for input from the Board to proceed. Sue added that the Beautification Committee is looking for a furniture adoption program to help pay for the furniture. Roy added that the log furniture they prefer the railroad theme to go by the Depot; the water fountain will be delivered in December and be completed.

#### **BUENA VISTA VOLUNTEER FIRE DEPARTMENT**

- Darrell Pratt noted he was gone for training a lot; their grant was turned down and didn't know why yet.
- Trustee Carey asked about publicity for chimney fires. Darrell stated they put items in the newspaper periodically.

#### **TRUSTEE/STAFF INTERACTION**

- Mayor Benson asked how the Town Clerk search was going. Sue stated applications are coming in every day and the deadline is November 22 and asked how the Board wanted to proceed. It was decided that Sue will review applications and bring the most qualified to the Board.
- Mayor Benson referenced the resignation letter from Pete Palmer from P&Z and congratulated him in his new role.

#### **EXECUTIVE SESSION - TO HOLD A CONFERENCE WITH THE TOWN ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS, PURSUANT TO C.R.S. § 24-6-402(4)(B) TO DISCUSS THE MEADOWS AT BUENA VISTA VS. TOWN OF BUENA VISTA LAWSUIT.**

**Motion #8** by Trustee Flint, seconded by Trustee Nyberg, to go into Executive Session to hold a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b) to discuss The Meadows at Buena Vista vs. Town of Buena Vista lawsuit.

Those present for the Executive Session were Mayor Joel Benson, Trustees Carrie Carey, Jerry Steinauer, Robert Flint, Norm Nyberg, Town Administrator Sue Boyd and Town Attorney Jeff Parker. Executive Session was held from 10:17 PM to 10:37 PM.

**Motion #9** by Trustee Flint, seconded by Trustee Steinauer, to adjourn back to Regular Session. Motion carried.

#### **ADJOURNMENT**

**Motion #10** by Trustee Nyberg, seconded by Trustee Flint, noting that there being no further business to come before the Board declared that the meeting be adjourned at 10:40 PM. Motion carried.

Respectfully submitted:



\_\_\_\_\_  
Mayor, Joel Benson



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Town Clerk, Diane Spomer